

RULES REGULATING ACCREDITATION OF LAW SCHOOLS IN CALIFORNIA

Table of Contents

RULE ONE: GENERAL PROVISIONS.....	1
Section 1.01 Name and Scope of Rules.....	1
Section 1.02 Committee of Bar Examiners.....	1
Section 1.03 Repeal of Former Rule XVIII.	1
Section 1.04 Definitions.....	1
Section 1.05 Accreditation of Law Schools.	3
Section 1.06 American Bar Association Approved Law Schools.....	3
Section 1.07 Law School Lists.	3
Section 1.08 Annual Reports.....	3
Section 1.09 Law School Student Complaints.....	3
Section 1.10 Confidentiality.....	3
RULE TWO: STANDARDS FOR ACCREDITATION OF LAW SCHOOLS.....	4
Section 2.01 Preamble.....	4
(A) Lawful Operation.....	4
(B) Integrity.	4
(C) Governance.	4
(D) Educational Program.	4
(E) Dean and Faculty.....	4
(F) Library.....	4
(G) Admissions.....	4
(H) Scholastic Standards.	5
(I) Physical Resources.	5
(J) Financial Resources.	5
(K) Records and Reports.	5
(L) Equal Opportunity and Non-Discrimination.	5
RULE THREE: GENERAL RULES REGARDING ACCREDITATION	5
Section 3.01 Continuation of Status.....	5
Section 3.02 Waivers.	5
Section 3.03 Multiple Locations.....	6
Section 3.04 Other Legal Studies.....	6
Section 3.05 Self-Study.....	6
Section 3.06 Periodic Inspections.	6
Section 3.07 Consulting and Consultation Visits.	7
Section 3.08 Schedule of Charges.....	7
RULE FOUR: APPLICATION FOR CANDIDACY	8
Section 4.01 Application Based Upon Substantial Compliance.....	8
Section 4.02 Application Procedure.	8

RULES REGULATING ACCREDITATION OF LAW SCHOOLS IN CALIFORNIA

Table of Contents

Section 4.03	Initial Review.	8
Section 4.04	Candidacy Inspection.	9
Section 4.05	Inspection Report.	9
Section 4.06	Committee Action.	9
RULE FIVE: APPLICATION FOR ACCREDITATION		10
Section 5.01	Application Based Upon Full Compliance.....	10
Section 5.02	Application Procedure.	10
Section 5.03	Initial Review.	10
Section 5.04	Accreditation Inspection.	11
Section 5.05	Inspection Report.	11
Section 5.06	Committee Action.	11
RULE SIX: MAJOR CHANGES.....		12
Section 6.01	Prior Approval Required.	12
Section 6.02	Inspection and Report.	12
Section 6.03	Major Changes.	12
RULE SEVEN: WITHDRAWAL OF ACCREDITATION OR CANDIDACY.....		13
Section 7.01	Notice of Deficiency.....	13
Section 7.02	Site Inspection and Report.	13
Section 7.03	Request for Hearing.	13
Section 7.04	Hearing Procedures.	14
Section 7.05	Action by the Committee.	15
Section 7.06	Records.	15
Section 7.07	Review by the Supreme Court.....	15
Section 7.08	Effect of Withdrawal of Accreditation.	15

Rules Regulating Accreditation Of Law Schools In California

RULE ONE: GENERAL PROVISIONS

Section 1.01 Name and Scope of Rules.

These Rules shall be known, and may be cited, as the "Rules Regulating Accreditation of Law Schools in California." These Rules are applicable to law schools seeking accreditation and law schools accredited by the Committee of Bar Examiners, including those schools fully and provisionally approved by the American Bar Association. These Rules may be amended from time to time by the Committee, subject to the approval of the Board of Governors, and the amendments shall become effective upon approval by the Board of Governors. In addition, the Committee will publish interpretive comments and factors governing the interpretation and application of the Standards, and shall have the authority to alter or amend the comments and factors after having given reasonable public notice of proposed amendments and after having considered all comments received about the proposed amendments to the comments and factors.

Section 1.02 Committee of Bar Examiners.

(A) The examining committee appointed pursuant to the Business and Professions Code and Title 4, Division 1, Rule 4.1 of the *Rules of the State Bar of California (Admissions Rules)* is the Committee of Bar Examiners of The State Bar of California (Committee) and is charged with the responsibility of accrediting law schools in California and the oversight of those schools in accordance with the procedures contained in these Rules.

(B) The powers and authority of the Committee are derived from the California Business and Professions Code, the California Rules of Court, and from the California Supreme Court.

(C) The powers and procedures of the Committee are contained in Chapter 1 of the *Admissions Rules* and are applicable to these Rules as they may pertain to matters regarding law schools.

Section 1.03 Repeal of Former Rule XVIII.

These Rules replace and supersede Rule XVIII of the Admission Rules, effective with the adoption of these Rules by the Committee and approval by the Board of Governors.

Section 1.04 Definitions.

(A) An accredited law school is a law school that has been granted accreditation by the Committee.

(B) *Admissions Rules* means Title 4, Division 1, of the *Rules of the State Bar of California*.

(C) A candidate law school is one that is recognized as such by the Committee, is pursuing accreditation by the Committee and, though not in full compliance with the Standards for Accreditation, is in substantial compliance. Candidacy is a status preliminary to accreditation and has a limited duration of no less than two (2) years and normally no more than five (5) years. A candidate law school is not accredited and throughout the period of candidacy the law school must comply with the *Unaccredited Law School Rules*,

with applicable provisions of the California Rules of Court and with relevant sections of the California Business and Professions Code.

(D) Committee means the Committee of Bar Examiners of The State Bar of California.

(E) Educational Standards Consultant refers to an individual, who is not an employee of The State Bar of California, performing educational standards related duties on a contractual basis as delegated and assigned by the Committee or by the Senior Executive, Admissions.

(F) The Educational Standards department is a department within the Office of Admissions of The State Bar of California under the oversight of the Senior Executive, Admissions. The department provides staff support to the Committee in carrying out its responsibilities for accreditation of law schools, registration of unaccredited and correspondence law schools, and oversight of legal education in California.

(G) The First-Year Law Students' Examination is the examination required of all students not otherwise exempt by the California Business and Professions Code.

(H) Factors and Comments refers to factors and comments governing the interpretation and application of the Standards for Accreditation of law schools, adopted, and amended from time to time by the Committee.

(I) A residence law school is one operating as a law school in the State of California or elsewhere within the United States or its possessions that is authorized to confer the first professional degree in law (such as either the J.D. or LL.B.) and that conducts its program of instruction in a classroom setting.

(J) Rules, unless indicated otherwise, means these Rules Regulating Accreditation of Law Schools in California.

(K) Senior Executive, Admissions refers to the Senior Executive, Admissions of The State Bar of California or the individual who acts as the staff member in charge of the State Bar's admissions program, and includes his or her designee for coordinating educational standards matters.

(L) Standards means the Standards for Accreditation of law schools, which are set forth in Rule Two of these Rules and include the Factors and Comments for interpretation and application of the Standards issued by the Committee pursuant to Section 1.01 of these Rules, as interpreted by the Committee.

(M) Subcommittee means the Subcommittee on Educational Standards, which is a subcommittee of the Committee of Bar Examiners.

(N) State Bar means The State Bar of California or, as appropriate, its Board of Governors.

(O) An unaccredited law school is one operating as a law school in the State of California that is neither accredited nor approved by the Committee, but must be registered with the Committee and comply with the requirements contained in the *Unaccredited Law School Rules*, applicable provisions of the California Rules of Court and relevant sections of the California Business and Professions Code. A law school operating wholly outside of

California is unaccredited unless it has applied for and received accreditation from the Committee or is provisionally or fully approved by the American Bar Association. A candidate law school is unaccredited.

Section 1.05 Accreditation of Law Schools.

The Committee shall accredit a law school or continue the accreditation of a law school when it is satisfied that the law school offers a sound educational program to its students, that the law school does not exploit its students, and that the law school has demonstrated its compliance with applicable provisions of the California Business and Professions Code, the California Rules of Court and with the Standards for Accreditation of law schools.

Section 1.06 American Bar Association Approved Law Schools.

A law school that is either provisionally or fully approved by the American Bar Association shall prima facie be deemed accredited by the Committee and exempt from these Rules, unless it shall affirmatively appear to the Committee, after proceedings under Rule Seven of these Rules, that such school is not conforming to the standards established by the American Bar Association and the Standards for Accreditation set forth in Rule Two of these Rules including the Comments and Factors governing interpretation of the Standards.

Section 1.07 Law School Lists.

The Committee shall maintain and make available upon request a list of law schools approved by the American Bar Association, a list of law schools accredited by the Committee, and a list of unaccredited law schools registered with the Committee, including candidate law schools and the date candidacy was granted by the Committee.

Section 1.08 Annual Reports.

Candidate and accredited law schools, other than law schools approved by the American Bar Association, shall file no later than November 15 of each year an Annual Report on a form supplied by the Committee, accompanied by the fee specified in the schedule of law school fees published by the Committee. Reports not timely filed shall be accompanied by a late filing fee as specified in the schedule of law school fees published by the Committee, accompanied by the annual report fee. The report shall, at a minimum, provide all the information required by such report, including confirmation that the school is in compliance with these Rules and Standards, as applicable to its status as a candidate or an accredited law school. If a law school is not in compliance with the Admission Rules, Standards, or Rules applicable to its status, the school shall report in what respect it is not in compliance and shall state the steps taken during the preceding year to bring the school into compliance.

Section 1.09 Law School Student Complaints.

Complaints received from law school students regarding particular law schools shall be associated with the Committee's file for the school, but the Committee shall not act on any one complaint, except to review it in the context of the school's compliance with the Admission Rules, Standards, or Rules. The Committee shall not intercede in matters between a law school and a student.

Section 1.10 Confidentiality.

Applications for candidacy or accreditation, requests for waivers, inspection reports and recommendations, registration forms, annual reports, notices of major changes, notices

regarding withdrawal of accreditation, and any other document that the Committee shall designate suitable for publication, regarding law schools seeking registration, candidacy or accreditation or those law schools currently accredited or registered with the Committee are public records except insofar as they are considered privileged. Any information such as grades, grade average, test scores or personal information about an individually identifiable student; any report of observations, evaluations, or personal information about an individually identifiable instructor; and financial information about a law school, are considered by the Committee to be privileged whether or not contained within a public record. Non-privileged information will be released to the public upon written request to the State Bar's Office of Admissions in San Francisco and payment of the copying fee specified by the Committee.

RULE TWO: STANDARDS FOR ACCREDITATION OF LAW SCHOOLS

Section 2.01 Preamble.

To become accredited, a law school must establish that its paramount objective is to provide a sound legal education. Financial considerations shall not dictate nor adversely affect the educational program. The school shall not retain any student who is obviously unqualified or who does not appear to have a reasonable prospect of completing the program and acquiring the educational qualifications necessary for admission to practice law in California.

(A) Lawful Operation.

The law school shall be a residence law school operated in compliance with all applicable federal, state and local laws, and regulations. The law school shall be qualified as a degree granting institution under the laws of California, if located in California, or of the state in which it is located.

(B) Integrity.

The law school shall demonstrate integrity in all of its programs, operations, and other affairs.

(C) Governance.

The law school shall be governed, organized, and administered so as to provide a sound educational program.

(D) Educational Program.

The law school shall maintain a sound educational program.

(E) Dean and Faculty.

The law school shall have a competent dean or other administrative head and a competent faculty devoting adequate time to administration, instruction, and student counseling.

(F) Library.

The law school shall maintain an adequate library.

(G) Admissions.

The law school shall maintain a sound admissions policy.

(H) Scholastic Standards.

The law school shall maintain sound scholastic standards and shall identify as soon as possible following admission and exclude those admitted students who have demonstrated they are not qualified to continue.

(I) Physical Resources.

The law school shall maintain physical resources adequate for its programs and operations.

(J) Financial Resources.

The law school shall maintain adequate present and anticipated financial resources to support its programs and operations.

(K) Records and Reports.

The law school shall maintain adequate records of its programs and operations, and shall make annual and other reports as the Committee determines to be necessary or proper to determine compliance with the Standards.

(L) Equal Opportunity and Non-Discrimination.

Consistent with sound educational policy, and the Standards, the law school shall demonstrate, or have carried out and maintained, by concrete action, a commitment to providing full opportunities for the study of law and entry into the profession by qualified members of groups (notably racial and ethnic minorities) that have been victims of discrimination in the past.

The law school shall maintain equality of opportunity in legal education in admission and retention of students and hiring, retention, and promotion of faculty without discrimination or segregation on the grounds of race, color, religion, national origin, sex, age, marital status, disability, or sexual orientation, except insofar as such action is protected by the Constitution of the state of California, provided that nothing in this Standard is intended to prohibit such admission, retention, hiring, and promotion policies maintained for the purpose of remedying present effects of past discrimination.

RULE THREE: GENERAL RULES REGARDING ACCREDITATION

Section 3.01 Continuation of Status.

A law school accredited by the Committee on the effective date of these Rules shall continue to be an accredited law school under these Rules, unless its accreditation is thereafter withdrawn pursuant to Rule Seven of these Rules.

Section 3.02 Waivers.

(A) A law school seeking candidacy or accreditation, or an accredited law school that demonstrates that it substantially complies with the Standards may request a waiver of any of the Standards, Comments, or Factors by filing a waiver request with the Committee that clearly evidences the school's ability to provide a sound legal education without being in full compliance with all Standards, Factors, and Comments.

(B) Any waiver granted shall be annually reviewed and reconsidered by the Committee and may be modified or withdrawn, provided the law school shall be granted a reasonable

period of time within which to comply with the Standard, Comment, or Factor for which a waiver had been allowed.

Section 3.03 Multiple Locations.

Accreditation is granted to a law school as an institution, and a law school that conducts classes at multiple locations must be in compliance with the Standards at each location.

Section 3.04 Other Legal Studies.

An accredited law school that offers, or is part of an institution that offers, any program in legal studies other than the program leading to a professional degree in law, must be lawfully empowered to offer each such other program.

Section 3.05 Self-Study.

Prior to the periodic reinspection provided for in Section 3.06 or more frequently if the Committee so determines, an accredited law school shall re-evaluate its educational program and submit to the Committee a written self-study on forms provided by the Committee, for the purpose of determining compliance with the Standards and achievement of the school's mission and objectives. The written self-study must be accompanied by the fee specified in the schedule of law school fees published by the Committee.

Section 3.06 Periodic Inspections.

(A) An accredited law school shall be subject to inspection, at the school's expense, every fifth year following the grant of accreditation or more frequently if the Committee determines that more frequent inspection is necessary to determine whether the school remains in compliance with the Standards.

(B) A candidate law school shall be subject to annual inspection, at the school's expense, to assure that the school is in substantial compliance with the Standards, that the school is progressing toward full compliance with the Standards, and that the school is complying with such specified conditions as are set forth in the grant of candidacy.

(C) The periodic inspections described in paragraphs (A) and (B), above, shall be conducted using a team composed of the Senior Executive, Admissions or his or her designee, or a consultant, and at least one and not more than two representatives from law schools accredited by the Committee, as well as such members of the Committee as the Committee Chair may appoint. The school has the right to challenge the appointment of any member of the visitation team by filing a written request for an alternative appointment within ten (10) days following receipt of the notice of the team's composition. The Senior Executive, Admissions shall consider the request and if good cause is shown, the request for replacement of the team member will be granted and an alternative member shall be appointed. The law school shall be notified within thirty (30) days of the decision of the Senior Executive, Admissions.

(1) The purpose of the inspection is to verify the written information submitted by the school and to determine the extent of the school's compliance with the Standards. The inspection team shall prepare a written report of the inspection, with findings and recommendations. The report shall be filed with the Committee and a copy delivered to the law school within sixty (60) days after the inspection has been completed, unless for good cause and after notice to the school, the Committee extends the time

within which the report must be filed. Within thirty (30) days after receipt of the copy of the report, the school shall advise the Committee in writing whether it accepts the report or excepts to it or any part of it. If the school excepts to the report or any part of it, the school shall be granted sixty (60) days after receipt of the report to file its exceptions and any supporting material. For good cause, the Committee may extend the time in which exceptions may be filed.

(2) Within sixty (60) days after receipt of the site inspection report and advice, and exceptions of the law school, if any, or the lapse of time within which exceptions might be filed, the Committee, on the basis of all the information before it, shall either: 1) accept the report and continue the accreditation of the school, 2) grant a waiver or waivers pursuant to Section 3.02, 3) issue a written warning that immediate action must be undertaken by the school to correct the deficiencies noted, and if proof of correction is not received within sixty (60) days after receipt of the written warning, proceedings will be initiated under Rule Seven of these Rules, or 4) initiate proceedings to withdraw accreditation pursuant to Rule Seven of these Rules, unless for good cause the time limitations are extended by the Committee. The Committee shall notify the school of its determination within thirty (30) days after the date the decision was made.

Section 3.07 Consulting and Consultation Visits.

An educational institution planning to commence or offer instruction in law may request a law school consultation or visitation by the Committee at the school's expense for the purpose of advising the school on any matter including, but not limited to, its readiness to apply for candidacy or accreditation and the changes, if any, which should be accomplished by the school prior to the filing of such applications. When making such request, the educational institution shall agree to reimburse the Committee for the cost of providing such services, including any associated consultant and travel costs.

Section 3.08 Schedule of Charges.

Law schools shall reimburse the Committee for the expenses of any consultation or visit to the school for purposes of inspection or consultation:

(A) for the services of the Senior Executive or his or her designee and/or any consultant or consultants as may be hired by the Committee, at such reasonable rate as may be established by the Committee and specified in the schedule of law school fees published by the Committee for each hour of consultation; review of any applications, reports or other documents; law school inspection or visit, including preparation time and travel time to and from the school; and preparation of any report or study of such inspection for the use of the Committee, or the law school, or both; and

(B) for the travel expenses of the Senior Executive or his or her designee, any consultant or consultants, members of the Committee, and others designated by the Committee who are participating in the visitation, while such persons are on travel status at the actual cost of such travel.

RULE FOUR: APPLICATION FOR CANDIDACY

Section 4.01 Application Based Upon Substantial Compliance.

A law school that is not accredited, that believes it is in substantial compliance with the Standards for Accreditation of law schools, and that is pursuing accreditation by the Committee, may apply to the Committee to become a candidate for accreditation, in accordance with the procedures set forth in Sections 4.02 through 4.06 hereof. If the school is found to be substantially in compliance with the Standards, it shall be granted the status of candidate for accreditation for a period of no less than two (2) years during which it shall be subject to annual inspection.

Section 4.02 Application Procedure.

An unaccredited law school may apply for candidacy by:

- (A) filing a written application to become a candidate for accreditation on a form provided by the Committee and declaring that the law school is believed to be in substantial compliance with the Standards, accompanied by the fee specified in the schedule of law school fees published by the Committee;
- (B) submitting a self-study of its educational program and operations in a format approved by the Committee and such other information as the Committee may request; and,
- (C) agreeing to site inspections as needed and to timely pay any fees required by these Rules and to pay the fees and expenses specified in the schedule of law school fees published by the Committee for such visits and inspections as may be necessary or appropriate prior to being granted candidacy.

Section 4.03 Initial Review.

Within sixty (60) days after receipt by the Committee of the application for candidacy, the self-study and payment of the application fee, the application and self-study shall be referred to the Educational Standards department for processing and preparation of an agenda item for review by the Subcommittee on Educational Standards, unless for good cause the time limitations are extended by the Committee.

- (A) If the Subcommittee on Educational Standards determines that the application and self-study do not establish a reasonable probability that the law school will be found to be in substantial compliance with the Standards, the school shall be so informed within thirty (30) days after the decision, together with the reasons for the determination, and advised to withdraw its application for candidacy.
- (B) If the Subcommittee on Educational Standards determines that the application and self-study establish a reasonable probability that the law school will be found to be in substantial compliance with the Standards, or if after being advised to withdraw its application for candidacy the school has declined to do so, a consultation visit to the school will be scheduled within sixty (60) days of the date after the Subcommittee decision, unless for good cause the time limitations are extended by the Committee. The initial visit shall be conducted by the Senior Executive, Admissions or his or her designee or a consultant or consultants. Within sixty (60) days after the visit, a report and a recommendation will be prepared for review by the Subcommittee on Educational

Standards, and the school shall be advised whether there appears to be a reasonable probability that after an inspection the school will be found to be in substantial compliance with the Standards. If such reasonable probability is not found, the school shall be so informed, together with the reasons for the determination, and advised to withdraw its application for candidacy.

Section 4.04 Candidacy Inspection.

After an initial visit to the law school, pursuant to Section 4.03(b), above, regarding candidacy, if there is a reasonable probability that the law school will be found to be in substantial compliance with the Standards, or if after being advised to withdraw its application for candidacy the school has declined to do so, the Committee shall appoint a special subcommittee of at least two of its members who have not previously visited the school, one law school representative selected by the Senior Executive, Admissions or his or her designee, and such other persons as may be chosen by the Committee, to inspect the school and the inspection shall be scheduled within sixty (60) days after the decision of the Subcommittee, unless for good cause the time limitations are extended by the Committee. The inspection by the special subcommittee shall verify the written information submitted with the application for candidacy, and determine the extent of the school's compliance with the Standards. The school has the right to challenge the appointment of any member of the visitation team by filing a written request for an alternative appointment within ten (10) days following receipt of the notice of the team's composition. The Senior Executive, Admissions shall consider the request and if good cause is shown, the request for replacement of the team member will be granted and an alternative member shall be appointed. The law school shall be notified within thirty (30) days of the decision of the Senior Executive, Admissions.

Section 4.05 Inspection Report.

The special subcommittee shall issue a written report of the candidacy inspection, with findings and recommendations. The report shall be filed with the Committee and a copy delivered to the law school within sixty (60) days after the inspection has been completed, unless for good cause and after notice to the school, the Committee extends the time within which the report may be filed. Within thirty (30) days after receipt of a copy of the report the school shall advise the Committee in writing whether it accepts the report or excepts to it or any part of it. If the school excepts to the report or any part of it, the school shall be granted sixty (60) days to file its exceptions and any supporting material. For good cause, the Committee may extend the time in which exceptions may be filed.

Section 4.06 Committee Action.

Within sixty (60) days after receipt of the candidacy inspection report and advice and exceptions of the law school, if any, or the lapse of time within which exceptions might be filed, the Committee, on the basis of all the information before it, may grant the law school candidacy for a period of not less than two (2) years conditioned on satisfactory annual inspection and any other conditions the Committee finds appropriate, or the Committee may deny the law school's application for candidacy. If the Committee believes that further information is needed from the school in order to act on the school's application for candidacy, the Committee shall so notify the school and shall defer a decision for the time reasonably necessary to obtain such information and act upon it.

RULE FIVE: APPLICATION FOR ACCREDITATION

Section 5.01 Application Based Upon Full Compliance.

A law school that has been a candidate for accreditation for not less than two (2) years and not more than five (5) years, unless the period of candidacy has been extended by the Committee, and which believes that it is in full compliance with the Standards for Accreditation of law schools may apply to the Committee to become accredited, in accordance with the procedures set forth in Sections 5.02 through 5.06 hereof. No later than one hundred and eighty (180) days prior to the expiration of the period of candidacy, a candidate law school must file an application for accreditation in accordance with the provisions of Sections 5.02 through 5.06 of these Rules.

If the law school is found to be in full compliance with the Standards, the school shall be accredited. If the school is found not to be in full compliance with the Standards, candidacy may be continued or extended for such period as the Committee in its sound discretion determines is reasonable, or the school may be denied accreditation. Upon a candidate law school's failure to become accredited within the candidacy period, candidacy will automatically expire, and the school will continue to be an unaccredited law school.

Section 5.02 Application Procedure.

A candidate law school may apply for accreditation by:

- (A) having been a candidate law school for at least eighteen (18) months;
- (B) filing a written application to become an accredited law school on a form provided by the Committee and declaring that the law school is believed to be in full compliance with the Standards, accompanied by the fee specified in the schedule of law school fees published by the Committee;
- (C) submitting a self-study of its educational program and operations in a format approved by the Committee and such other information as the Committee may request; and,
- (D) agreeing to site inspections as needed and to timely pay any fees required by these Rules and to pay the fees and expenses specified in the schedule of law school fees published by the Committee for such visits and inspections as may be necessary or appropriate prior to being granted accreditation.

Section 5.03 Initial Review.

Within sixty (60) days after receipt by the Committee of the application for accreditation, the self-study, and payment of the application fee, the application and self-study shall be referred to the Educational Standards department for processing and preparation of an agenda item for review by the Subcommittee on Educational Standards, unless for good cause the time limitations are extended by the Committee.

- (A) If the Subcommittee on Educational Standards determines that the application and the self-study do not establish a reasonable probability that the law school will be found to be in full compliance with the Standards, the school shall be so informed within thirty (30) days after the decision, together with the reasons for the determination, and advised to withdraw its application for accreditation.

(B) If the Subcommittee on Educational Standards determines that the application and self-study establish a reasonable probability that the law school will be found to be in full compliance with the Standards, or if after being advised to withdraw its application for accreditation the school has declined to do so, a consultation visit to the school will be scheduled within sixty (60) days after the date of the Subcommittee decision, unless for good cause the time limitations are extended by the Committee. The initial visit shall be conducted by the Senior Executive, Admissions or his or her designee or a consultant or consultants. Within sixty (60) days after the visit, a report and a recommendation will be prepared for review by the Subcommittee on Educational Standards, and the school shall be advised whether there appears to be reasonable probability that after an inspection the school will be found to be in full compliance with the Standards. If such reasonable probability is not found, the school shall be so informed, together with the reasons for the determination, and advised to withdraw its application for accreditation.

Section 5.04 Accreditation Inspection.

After an initial visit to the law school pursuant to Section 5.03 (b), above, regarding accreditation, if there is a reasonable probability that the law school will be found to be in full compliance with the Standards, or if after being advised to withdraw its application for accreditation the law school has declined to do so, the Committee shall appoint a special subcommittee of at least two of its members who have not previously visited the school, one law school representative selected by the Senior Executive, Admissions or his or her designee, and such other persons as may be chosen by the Committee, to inspect the school and the inspection shall be scheduled within sixty (60) days after the decision of the Subcommittee, unless for good cause the time limitations are extended by the Committee. The inspection by the special subcommittee shall verify the written information submitted with the application for accreditation, and determine the extent of the school's compliance with the Standards. The school has the right to challenge the appointment of any member of the visitation team by filing a written request for an alternative appointment within ten (10) days following receipt of the notice of the team's composition. The Senior Executive, Admissions shall consider the request and if good cause is shown, the request for replacement of the team member will be granted and an alternative member shall be appointed. The law school shall be notified within thirty (30) days of the decision of the Senior Executive, Admissions.

Section 5.05 Inspection Report.

The special subcommittee shall issue a written report of the site inspection, with findings and recommendations. The inspection report shall be filed with the Committee and a copy delivered to the law school within sixty (60) days after the inspection has been completed, unless for good cause and after notice to the school the Committee extends the time within which the report may be filed. Within thirty (30) days after receipt of a copy of the report the school shall advise the Committee in writing whether it accepts the report or excepts to it or any part of it. If the school excepts to the report or any part of it, the school shall be granted sixty (60) days to file its exceptions and any supporting material. For good cause, the Committee may extend the time in which exceptions may be filed.

Section 5.06 Committee Action.

Within sixty (60) days after receipt of the accreditation inspection report and advice and exceptions of the law school, if any, or the lapse of time within which exceptions might be

filed, the Committee, on the basis of all the information before it, may grant the law school accreditation, or the Committee may deny the law school's application for accreditation. If the Committee believes that further information is needed from the school in order to act on the school's application for accreditation, the Committee shall so notify the school and shall defer a decision for the time reasonably necessary to obtain such information and act upon it. If the law school is found not to be in full compliance with the Standards but it is in substantial compliance, the law school's candidacy may be continued for such time, and upon such conditions, as the Committee in its sound discretion shall determine. If the Committee determines that continuation of candidacy will not reasonably result in the law school becoming accredited, or if the law school is found not to be in substantial compliance with the Standards, the law school's candidacy will terminate, and the law school will continue to be an unaccredited law school.

RULE SIX: MAJOR CHANGES

Section 6.01 Prior Approval Required.

A law school that is accredited or is a candidate for accreditation, other than one deemed accredited pursuant to Section 1.06 of these Rules, which is contemplating a major change in its organization, structure or operation shall notify and obtain the acquiescence of the Committee prior to implementing such change. In its notification the law school shall state the major change contemplated, furnish the Committee with full details on all matters that might affect the law school's continued compliance with the Standards and pay any applicable fees that may be appropriate as specified in the schedule of law school fees published by the Committee.

Section 6.02 Inspection and Report.

Upon notice of such changes, the Committee may require the law school to submit additional written information and the law school may be subjected to inspection, report, and findings as if the school were filing an application for accreditation or candidacy and may be required to pay any additional fees that may be applicable as specified in the schedule of law school fees published by the Committee.

Section 6.03 Major Changes.

The following are major changes:

- (A) Instituting a new division, either part-time or full-time, or changing from a part-time to a full-time program, or from a full-time to a part-time program;
- (B) Changing the location of the school or any branch thereof, or opening a new branch;
- (C) Instituting any joint degree program, whether within the college or university affiliated with the law school or with another institution;
- (D) Merging or affiliating with another law school, college or university, or severance from a law school, college or university, or modifying the law school's relationship with its affiliated college or university;
- (E) Offering a new program in law study, either a non-degree or non-professional degree program, or a degree program beyond the first professional degree in law;

- (F) Sponsoring or offering any program or class which will meet more than 55 miles from the site of the law school, or outside the state where the law school is situated, or in multiple locations;
- (G) Changing the name of the school;
- (H) Changing from a non-profit to a profit making institution or vice versa; and
- (I) Changing the ownership of the school.

RULE SEVEN: WITHDRAWAL OF ACCREDITATION OR CANDIDACY

Section 7.01 Notice of Deficiency.

Whenever the Subcommittee on Educational Standards believes an accredited or candidate law school (other than upon its application for accreditation or within the last one hundred and eighty (180) days before the end of its candidacy period, for which this Rule Seven does not apply) is not in full or substantial compliance, respectively, with the Standards, the school shall be notified in writing of the reason or reasons for such belief. The law school shall within sixty (60) days thereafter demonstrate to the Subcommittee that it is, respectively, in full or substantial compliance or, if not, of the steps the law school is taking to return to such compliance and pay the required fee as specified in the schedule of law school fees published by the Committee.

Section 7.02 Site Inspection and Report.

If the Subcommittee on Educational Standards determines, based upon the showing by the law school, that the accredited or candidate law school is in full or substantial compliance, respectively, or that the steps taken or to be taken are or will be adequate, the school shall be notified within thirty (30) days of the determination. Otherwise, within thirty (30) days a site inspection of the school shall be scheduled, at the school's expense, to determine whether the school is in appropriate compliance with the Standards, or the adequacy of the steps taken to return to such compliance. The initial inspection shall be conducted by the Senior Executive, Admissions or his or her designee or a consultant or consultants. Thereafter, a report and a recommendation will be prepared for review by the Subcommittee on Educational Standards, and the accredited or candidate law school shall be advised whether it is or is not in full or substantial compliance, respectively, with which Standards it is or is not in compliance, or that the steps taken to return to compliance are adequate or inadequate. The report shall specify the reasons why it appears the school is in non-compliance and why termination of accreditation or candidacy is being recommended.

Section 7.03 Request for Hearing.

The accredited or candidate law school may within thirty (30) days of receipt of notification of the Subcommittee's determination request a hearing with respect to its accreditation or candidacy by addressing a written request for a hearing to the Committee at the San Francisco office of the Office of Admissions of The State Bar of California. If no such request for a hearing is timely made, the school's accreditation or candidacy shall be withdrawn effective the first day of the month immediately following thirty (30) days from law school's receipt of notification of the Subcommittee's determination.

Section 7.04 Hearing Procedures.

(A) If a hearing has been timely requested, it shall be conducted before a Hearing Panel composed of two members of the Committee who are not members of the Subcommittee on Educational Standards and a law school representative selected by the Senior Executive, Admissions or his or her designee. The school has the right to challenge the appointment of any member of the Hearing Panel by filing a written request for an alternative appointment within ten (10) days following receipt of the notice of the team's composition. The Senior Executive, Admissions shall consider the request and if good cause is shown, the request for replacement of the Hearing Panel member will be granted and an alternative member shall be appointed. The law school shall be notified within thirty (30) days of the decision of the Senior Executive, Admissions. The hearing shall commence at a time mutually agreed to by the law school and the Hearing Panel within seventy-five (75) days after its having been requested.

(B) The hearing shall be reported and an original of the transcript shall be prepared at the Committee's expense. A copy of the transcript shall be made available to the law school at its expense.

(C) The hearing need not be conducted according to technical rules relating to evidence and witnesses. Any relevant evidence shall be admitted if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence over objection in civil actions. Hearsay evidence may be used for the purpose of supplementing or explaining other evidence but shall not be sufficient in itself to support a finding unless it would be admissible over objection in a civil action. The rules of privilege set forth in the California Evidence Code or required by the United States or California Constitution shall be recognized at the hearing. Irrelevant and unduly repetitious evidence shall be excluded. The accredited or candidate law school shall have the burden of establishing its full or substantial compliance, respectively, with the Standards. The panel may, at the school's expense, visit the law school and make its observations during the visit a part of the record and utilize these observations in making its recommendations.

(D) All parties may be represented by counsel at all stages of the proceedings.

(E) Within thirty (30) days of completion of the hearing and receipt of the transcript, the law school may file written arguments favoring retention of accreditation or candidacy. Within fifteen (15) days thereafter, the Subcommittee on Educational Standards may file a written response. Within forty-five (45) days thereafter, the Hearing Panel shall recommend in writing to the Committee that accreditation or candidacy, as appropriate, be retained, be conditioned as the Hearing Panel recommends, or be withdrawn; that a waiver or waivers be granted pursuant to Section 3.02; or, in the case of an accredited law school, that candidacy, subject to such conditions as the Hearing Panel recommends, be substituted for accreditation. The Hearing Panel shall give in writing the reasons for its recommendations. A copy of the Hearing Panel's recommendation and the reasons therefore shall be provided to the school.

Section 7.05 Action by the Committee.

(A) The Hearing Panel's recommendation shall become the action of the Committee unless within thirty (30) days of receipt of the Hearing Panel's recommendations the law school requests an oral argument on the record before the full Committee. Oral arguments, if timely requested, will be held by the Committee at a meeting called for that purpose within seventy-five (75) days of receipt of the law school's request. Those members of the Committee who sat on the Hearing Panel may be present, but shall not vote on whether the Hearing Panel's recommendations should be adopted.

(B) The Committee, after oral argument, may take any action upon the law school's accreditation or candidacy that the Committee, in its discretion, considers appropriate.

(C) An action by the Committee that accreditation or candidacy be withdrawn from a law school shall become effective sixty (60) days from the date of the action by the Committee.

Section 7.06 Records.

The notice of withdrawal, the transcripts of the hearing, the Hearing Panel's Report and Recommendations, and the Committee's decision relating to withdrawal of a law school's accreditation or candidacy are public records except insofar as they are considered privileged. Non-privileged information will be released to the public upon written request to the State Bar's Office of Admissions in San Francisco and payment of the copying fee specified by the Committee.

Section 7.07 Review by the Supreme Court.

A school may seek review of the Committee's action before the California Supreme Court pursuant to the rules of that court.

Section 7.08 Effect of Withdrawal of Accreditation.

If an accredited law school's accreditation is withdrawn, students enrolled and taking classes at such law school on the effective date of the withdrawal action by the Committee, who complete the course of study in accordance with the requirements specified in the Admission Rules and graduate, shall be deemed graduates of an accredited law school, even though accreditation is withdrawn. If an accredited law school's accreditation is withdrawn, students enrolled and taking classes in the first year of law studies at such law school on the effective date of the withdrawal action by the Committee, who complete the course of first-year law study in accordance with the requirements specified in the Admission Rules, shall be deemed to have completed the first year of law study at an accredited law school, even though accreditation has been withdrawn. Involuntary active duty as a member of the armed forces of the United States shall not constitute an interruption of study under this provision, provided that studies are resumed within six months after the student's having become physically able to do so.